

## REMARKS

The present application includes pending claims 1-28, all of which have been rejected.

Claim 1 has been amended.

Claims 1-28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 7,065,778 ("Lu") in view of United States Patent Number 6,963,358 ("Cohen") and United States Patent Application Publication No. 2004/0243671 ("Needham"). The Applicants respectfully traverse these rejections for at least the reasons previously discussed during prosecution and the following.

### I. The Proposed Combination Does Not Render Claims 1-17 Unpatentable

Claim 1 recites, in part, "**a first storage in the first home, the first storage for storing media, and having a first network protocol address with respect to a first user in the first home; a second storage in the second home, and having a second network protocol address with respect to a second user in the second home, wherein the second user is known to the first user;... server software that maintains a user defined association of the first and second network protocol addresses and that receives via a communication network a request that identifies one of the associated first and second network protocol addresses, one of the at least one media peripheral, and at least one media peripheral command selected by a user at the first home, and responds by identifying the other of the associated first and second network protocol addresses to support control from the first home....”**

**A. Server Software That Maintains A User Defined Association Of The First And Second Network Protocol Address**

The Office Action asserts that Lu discloses “server software that maintains a user defined association of the first and second network protocol addresses and receives via a communication network a request that identifies one of the associated first and second network protocol addresses by a user at the first home and responds by identifying the other of the associated first and second network protocol addresses....” *See* May 7, 2008 Office Action at pages 3-4.

Lu “relates to the field of utilizing personalized video recorders and other similar types of devices to distribute television programming.” *See* Lu at column 1, lines 7-11. In particular, Lu discloses a system in which a user is able to record a show that is transmitted in another broadcast area. *See id.* at Abstract.

For example, Lu describes the following:

Specifically, personalized video recorder 200 is coupled to the Internet 302 such that it can receive an electronic programming guide (EPG) containing worldwide television programming from an EPG server computer 304. The user of personalized video recorder 200 utilizes the EPG to request delivery of a specific television show that may not be available to him or her. Upon reception of the request from personalized video recorder 200, EPG server computer 304 locates via Internet 302 one or more personalized video recorders... situated within a broadcast region of the requested television show. Subsequently, EPG server computer 304 programs one or more personalized video recorders... to record the requested television show when it is broadcast by a television content provider.... Once the personalized video recorders... record the television show, one or more of the personalized video recorders may transmit it to EPG server computer 304 which then transmits it to the requested personalized video recorder 200. In this manner, the present embodiment enables personalized video recorder 200 to order and receive specific television shows that are unavailable from its television content provider....

Lu at column 6, lines 39-61. Thus, Lu discloses a system in which a user sends a recording request that is received by a server computer via the Internet. The server computer then arbitrarily locates a recorder within the broadcast region of the show, and then sends the recorded show back to the requesting user.

Lu does not describe, teach, or suggest “server software that **maintains a user defined association of the first and second network protocol addresses** and that receives via a communication network a **request that identifies** one of the associated first and second network protocol addresses, one of the at least one media peripheral, and at least one media peripheral command selected by a user at the first home, and **responds by identifying the other of the associated first and second network protocol addresses to support control from the first home.....**” Instead, Lu merely discloses that a user of a PVR requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR.

The current Office Action cites Lu at column 6, lines 54-58 as disclosing “server software that maintains a user defined association of the first and second network addresses.” *See* May 7, 2008 Office Action at page 3. This cited portion of Lu states, however, the following:

Once the personalized video recorders (e.g., 200A and 200B) record the television show, one or more of the personalized video recorders may transmit it to EPG server computer 304 which then transmits it to the requesting personalized video recorder 200.

Lu at column 6, lines 54-58. This portion of Lu merely indicates that a request to record a show is made, and then the EPG **arbitrarily** finds another recorder in a broadcast area to record the show for the requesting recorder. This portion of Lu does not indicate that a user defines an association between first and second network addresses, or that a server **maintains** that user

**defined association.** In general, there is nothing in this cited portion, nor the remainder, of Lu that describes, teaches or suggests “server software that **maintains a user defined association of the first and second network addresses,**” as recited in claim 1. Thus, for at least these reasons, the Applicants respectfully request reconsideration of the rejection of claims 1-9.

Independent claim 10 also recites “server software that maintains a user defined association of the first and second network addresses.” For at least the reasons discussed above with respect to claim 1, the Applicants respectfully request reconsideration of the rejection of claims 10-17.

**B. Request That Identifies One Of The Associated First And Second Network Protocol Addresses, One Of The At Least One Media Peripheral In The Second Home, And At Least One Media Peripheral Command Selected By A User At The First Home**

As noted above, claim 1 is clear that the request identifies:

- (1) one of the associated first and second network protocol address,**
- (2) one of the at least one **media peripheral [in the second home], and****
- (3) at least one media peripheral **command selected by a user at the first home.****

Lu does not describe, teach or suggest all these limitations. Indeed, the Office Action acknowledges as much. *See* May 7, 2008 Office Action at page 4 (“Lu does not teach at least one media peripheral, in the second home, communicatively coupled to the second storage; and the server software that receives a request that identifies one of the at least one media peripheral, and at least one media peripheral command selected by a user, and responds with media from the identified one of the at least one media peripheral, at the second home, according to the at least one media peripheral command.”).

Claim 1 is clear that commands for a media peripheral at a second home are being selected at a first home. The Office Action cites Cohen at **column 13, lines 22-33** and **column 14, lines 19-27** as disclosing receiving “a request that identifies one of the at least one **media peripheral [in the second home]**, and at least one media peripheral command selected by a user at the first home.” *See id.* at page 4 (emphasis added).

The Applicants will now address each of these cited portions of Cohen, in turn. First, Cohen at **column 13, lines 22-33** states the following:

When a user or a requester wants to access a data file stored on the storage medium being serviced by the server, the requestor/user submits or makes a request. This access request is processed to determine if the user/requestor is authorized to access the data file, STEPS 706, 708. If the requestor does not have authorization to access the data file (NO, STEP 708), an error/no access granted message is outputted, STEP 710. If the requestor has authorization to access the data file (YES, STEP 708), then the server grants access to the stored data. The access being granted can be limited to a read only type of access or access to manipulate or further process the data.

This portion of Cohen merely discloses that a user requests access to a data file on a storage medium serviced by a server. It then goes on to discuss the steps taken if and when a user has authorization to gain access to a data file. There is nothing in this portion of Cohen, however, that describes, teaches, or suggests receiving a request that “identifies one of at least one media peripheral [in the second home], and at least one media peripheral command selected by a user at the first home” as recited in the claims. In short, there simply is nothing in the cited references that describes, teaches or suggests identifying a media peripheral in one location and selecting a command for that media peripheral at a separate and distinct different location.

Similarly, **column 14, lines 19-27** of Cohen states the following:

In use, image data is acquired in the digital camera 10' and when desired by the user such acquired data is downloaded into the DDST device 100b. Thereafter the downloaded data is transmitted using wireless communications techniques to the transceiver 804 operably coupled to a first network infrastructure 806. This downloaded data is in turn communicated via the network infrastructure to a remotely located server 808.

Thus, Cohen discloses that a user of the digital camera acquires the image at the location of the digital camera (but does not make any type of selection with respect to the camera from a remote location). The user of the camera can then download the acquired image data to a DDST device. This portion of Cohen merely discloses that image data from a digital camera is downloaded into a DDST device and may later be communicated to a network infrastructure. The Office Action indicates that "digital camera 10' resides at second home". *See* May 7, 2008 Office Action at page 5. Yet, the Office Action points to nothing in the cited references that describes, teaches or suggests that the digital camera 10" is being controlled through commands at a separate and distinct location from where the camera resides.

Overall, there is nothing in this portion of Cohen that describes, teaches, or suggests receiving a request that "identifies one of at least one media peripheral [at the second home], and at least one media peripheral command selected by a user *at the first home*" as recited in the claims. Again, claim 1 is clear that commands for a media peripheral at a second home are being selected at a first home. There simply is nothing in the cited portions of Lu, Cohen [or Needham] that describes, teaches or suggests such limitations. Thus, for at least these reasons, the Applicants respectfully request reconsideration of the rejection of claims 1-9.

Claim 10 recites, in part, "a request that identifies one of the associated first and second network addresses, one of the at least one media peripheral in the second home, and at least

one media peripheral command selected at the first home....” For at least the reasons discussed above, the Applicants respectfully request reconsideration of the rejection of claims 10-17.

**C. Supporting Control From The First Home Of A Media Peripheral At The Second Home According To The At Least One Media Peripheral Command**

Claim 1 also recites “to support control **from the first home**, via the communication network, of the identified one of the at least one media peripheral, **at the second home**, according to the at least one media peripheral command [selected at the first home].”

None of Lu, Cohen or Needham describes, teaches or suggests this limitation. The Office Action **only** cites Lu at **column 6, lines 54-58** as disclosing “to support control from the first home, via the communication network.” *See* May 7, 2008 Office Action at page 4. As discussed above, this cited portion of Lu merely indicates that a recording request is made, and then the EPG **arbitrarily** finds another recorder in a broadcast area to record the show for the requesting recorder. There is nothing in this cited portion, nor the remainder, of Lu that describes, teaches or suggests supporting “control **from the first home**, via the communication network, of the identified one of the at least **one media peripheral, at the second home**, according to the at least one media peripheral command [selected at the first home].”

Additionally, the Office Action has not shown that Cohen describes, teaches or suggests such limitations. Indeed, the Applicants respectfully submit that Cohen does not disclose remote control of a “digital camera, digital camcorder or other image/video capturing device.” *See* Cohen, *e.g.*, at Abstract.

Needham “relates in general to the field of image sharing. Particularly, aspects ... pertain to image sharing based upon faces in an image.” *See* Needham at [0002]. Needham also

discloses that a “rule may specify that images should only be shared with persons on a buddy list.” *See* Needham at [0023].

The Applicants respectfully submit that **none** of Lu, Cohen or Needham describes, teaches or suggests supporting “control from the first home,” via the communication network, of the identified one of the **at least one media peripheral, at the second home**, according to the at least one media peripheral command [selected at the first home],” as recited in claim 1. Thus, the combination of the references, by definition, also cannot describe, teach or suggest this limitation. Again, the Office Action has pointed to nothing in any of the cited references that describes, teaches or suggests controlling a media peripheral in one location through commands input at an entirely different location. Thus, for at least this reason, the Applicants respectfully request reconsideration of the rejection of claims 1-9.

Claim 10 recites, in part, “to support control, via a communication network, of the identified one of the **at least one media peripheral [in the second home]**, according to the at least one media peripheral command [selected at the first home].” The Applicants respectfully request reconsideration of the rejection of claims 10-17 for at least the reasons discussed above.

## **II. The Proposed Combination Of Lu, Cohen And Needham Does Not Render Claims 18-22 Unpatentable**

Claim 18 recites, in part, “the **at least one media peripheral [in the second home]** being configured to be **indirectly controlled by the set top box circuitry in the first home...**”. As discussed above, none of the cited references describes, teaches, or suggests such a limitation. **None of Lu, Cohen or Needham discloses indirect control of a component in *a second home* through set top box circuitry *in a first home*.** Instead, Lu arbitrarily locates a PVR in a broadcast area to record a show for a PVR in another broadcast area. Moreover, there is nothing

in the portions of Cohen or Needham cited in the Office Action that describes, teaches or suggests this limitation, as discussed above. Thus, the proposed combination of Lu and Cohen does not render claims 18-22 unpatentable for at least this reason. *If the Examiner persists in this rejection, the Applicants respectfully request a specific cite from the cited references (as opposed to subjective, unsupported conclusory statements) and detailed reasoning as to where and how any of the cited references disclose indirect control from a first home of a media peripheral at a second home.*

### III. Claims 23-28 Are In Condition For Allowance

Claim 23 recites, in part, the following:

set top box circuitry, **in a first home**, communicatively coupled to control a media peripheral at a second home; and

software that maintains a user defined association of first and second network protocol addresses with respect to first and second users, respectively, in the first and second homes, respectively, wherein the first and second users know one another, the software receives via a communication network a request that identifies one of the associated first and second network protocol addresses, and responds by identifying the other of the associated first and second network protocol addresses **to support control from the first home, by the set top box circuitry, via the communication network, of the media peripheral at the second home.**

The Applicants respectfully submit that the proposed combination of references does not describe, teach or suggest all of these claim limitations for at least the reasons discussed above. Thus, the Applicants respectfully request reconsideration of the rejection of claims 23-28.

### IV. Conclusion

In general, the Office Action makes various statements regarding claims 1-28 and the cited references that are now moot in light of the above. Thus, the Applicants will not address

such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a future rejection).

The Applicants respectfully submit that the claims should be allowable for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the Applicants. **Indeed, the Applicants invite the Examiner to contact the undersigned attorney to discuss potential amendments that will lead to an allowance in order to avoid an appeal to the Board of Patent Appeals and Interferences.**

The Commissioner is authorized to charge any necessary fees, including the \$120 fee for the one month extension of time in which to respond, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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